PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yung-lyul LEE, et al.

Docket No: Q77576

Appln. No.: 10/669,709

Group Art Unit: 2621

Confirmation No.: 6387

Examiner: Gims S. Philippe

Filed: September 25, 2003

For: SIGNAL ADAPTIVE FILTERING METHOD, SIGNAL ADAPTIVE FILTER AND COMPUTER READABLE MEDIUM FOR STORING PROGRAM THEREFOR

PRE-APPEAL BRIEF REQUEST FOR REVIEW

MAIL STOP AF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, and further to the Examiner's Final Office Action dated October 21, 2009, Applicant files this Pre-Appeal Brief Request for Review. This Request is also accompanied by the filing of a Notice of Appeal.

Applicant turns now to the rejections at issue.

Claims 1-6 and 8-25 are pending in the application. Claims 2, 3, 5, 6 and 8-13 are allowed. Claims 1, 4 and 14-25 are rejected. Claims 1, 4 and 14-25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Fukuda (U.S. Patent 5,787,204).

Rejection of claims 1, 4 and 14-25 under § 102(b) as being anticipated by Fukuda (U.S. Patent 5,787,204)

Applicant respectfully submits that claim 1 is patentable because each and every element of the claim is not disclose by Fukuda. Claim 1 recites (emphasis added):

> An image data filtering method for reducing blocking effect and noise when a frame of the image data is composed of data blocks of predetermined size, the method comprising:
>
> checking whether all coefficients of all pixels in a predetermined region of the data block are equal to zero or not;
>
> generating filtering information on whether the data block requires filtering depending on whether the all coefficients of all pixels in the predetermined region of the data block are equal to zero or not; and
>
> filtering the data block passed through inverse quantization and inverse transform according to the generated filtering information.

In the Amendment of July 1, 2008, Applicant submitted that Fukuda fails to disclose or suggest, inter alia, checking whether all coefficients of all pixels in a predetermined region of the data block are equal to zero or not, in combination with other elements of the claim.

Fukuda fails to disclose or suggest any sort of predetermined region of the data block, in the manner recited in the claim. In the section of Fukuda cited by the Examiner, Fukuda merely discloses that one 8x8 block has 4x4 pixels which are non-zero (Fig. 10A), while the next block has 3x3 pixels which are non-zero (Fig. 10B). Therefore, Fukuda cannot possibly disclose

checking the coefficient of pixels in a predetermined region because the variable size of the pixels which have non-zero coefficients, precludes checking a predetermined region.

Rather, the 4x4 pixels in Fig. 10A and the 3x3 pixels in Fig. 10B merely reflect the consequence of the disposition of the non-zero coefficients and the 4x4 or 3x3 pixels do not represent any predetermined region where any sort of checking is done.

In response to the above, the Examiner maintains the rejection of the claims in the Final Office, that Fukuda discloses checking whether all coefficients of all pixels in a predetermined region of the data block are equal to zero or not. In the present Final Office Action, the Examiner also cites column 7, lines 51-67 and alleges that the regions of 4x4, 3x3 and 1x1 in Fig. 14A correspond to the claimed predetermined region.

The above cited sections of Fukuda, however, disclose determining the location of the non-zero coefficients and discloses the 4x4, 3x3 and 1x1 regions which were determined to have non-zero coefficients. While Fukuda may disclose determining the location of the non-zero coefficients, the reference only shows determining where the non-zero coefficients are located in the entire 8x8 DCT block, and not in a predetermined area. Therefore, Applicant respectfully submits that Fukuda still fails to disclose checking whether all coefficients of all pixels in a predetermined region of the data block are equal to zero or not.

Moreover, claim 1 recites three elements therein, three elements which are carried out in a particular order. Claim 1 recites checking, generating, and then finally, filtering. Therefore, the Examiner cannot argue that Fukuda discloses the three steps of claim 1 in a different order.

Applicant submits that the generating filtering information is carried out based on the checking of coefficients and subsequently, the filtering the data block is based on the previously recited element of generating filtering information.

Therefore, for at least the above reasons, claim 1 is patentable.

Claims 4, 16 and 18 are patentable for reasons similar to those submitted for claim 1.

Claims 15, 17 and 19, which respectively depend from claim 4, 16 and 18, are patentable at lest by virtue of their dependencies.

Claims 20-25 are patentable at least by virtue of their dependencies from their respective base claims.

In addition, claims 20 and 22 are further patentable because Fukuda fails to disclose a method wherein the predetermined region includes a predetermined number of pixels and the predetermined region is smaller than the data block.

Moreover, claims 21, 23-25 are additionally patentable because Fukuda fails to disclose a method wherein the predetermined region is not square shaped.

For at least the foregoing reasons, Applicants submit that the present invention is patentable, and allowance of the application is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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